# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

09/121,798

Confirmation No. 3701

**Applicant** 

Robert Bridenbaugh

Filed

July 23, 1998

TC/AU

1636

Examiner

Nancy S. Vogel

Docket No.

213-0012US

Customer No.:

29855

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant desires to bring to the attention of the Examiner the following information listed on the attached Information Disclosure Statement, Form PTO 1449. A copy of each of the citations is enclosed.

Submission of this Information Disclosure Statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. 1.56 (a) exists. This submission is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" to the invention disclosed unless specifically so designated. The right is reserved to antedate any item under 37 C.F.R. 1.131.

This IDS is being filed after receipt of a first Official Action, but before the close of prosecution on the merits. Accordingly, a fee of \$180.00 is believed to be due pursuant to 37 C.F.R § 1.97(c). The USPTO is authorized to deduct this fee, and any other necessary fees, from or credit any overpayments to Deposit Account No. 501922, referencing matter no. 213-0012US.

Application No. 09/121,798 Supplement IDS February 24, 2005

Applicant respectfully submits that the claims of this application are patentable over the above cited references and requests that Applicant's Attorney be contacted should the Examiner have any questions regarding this submission.

Should the Examiner have any questions, please do not hesitate to call Applicant's attorney at 832-446-2421.

Respectfully submitted,

By

Marilyn M. Huston

Reg. No. 37,851

Wong, Cabello, Lutsch, Rutherford & Brucculeri, L.L.P.

20333 SH 249, Suite 600

Houston, TX 77070

(832) 446-2421

OIPE	
FEB 2 4 2005	2
My	7

CERTIFICATE OF EXPRESS MAIL					
Express Mail Tracking No.:	EV 468041287 US				
Date of Deposit:	February 24, 2005				
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA, 22313-1450.					
Marilyn M. Huston					

09/121,798

Form PTO-1449 (modified)

Atty. Docket No. 213-0012US Serial No.

List of Patents and Publications for Applicant's

Inventor/Applicant

Robert Bridenbaugh

NFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Title: Methods For Purifying Nucleic Acids

Filing Date:

Group:

July 23, 1998

1636

**U.S. Patent Documents** See Page 1

Foreign Patent Documents See Page 1

Other Art

Beginning at Page 2

### **U.S. Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	3,928,642	12/23/1975	Hubert, et al.	426	521	01/22/1975
	A2	5,008,189	04/16/1991	Oroskar, et al.	435	105	06/20/1989
	A3	5,792,651	08/11/1998	Colpan, et al.	435	270	10/11/1996
	A4	5,981,735	11/09/1999	Thatcher, et al.	536	25.4	02/12/1997
	A5	5,990,301	11/23/1999	Colpan, et al.	536	25.4	10/18/1996
	A6	6,197,553	03/06/2001	Lee, et al.	435	91.1	11/07/1997
	A7	6,750,333	06/15/2004	Kuhne	536	23.1	08/04/1998

## **Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 89/01035	02/09/1989	WIPO	C12N	15/00	Abstract only
	B2	WO 96/21729	07/18/1996	WIPO	C12N	15/10	Yes
	B3	WO 98/01540	01/15/1998	WIPO	C12N	9/10	Abstract only
	B4	WO 98/11208	03/19/1998	WIPO	C12N	15/10	Yes
***	B5	WO 98/30685	07/16/1998	WIPO	C12N	15/10	Yes
	В6	WO 99/63076	12/09/1999	WIPO	C12N	15/10	Yes
	В7	EP 0 240 191	10/07/1987	EPO	C12N	15/00	Yes
·	B8	EP 0 376 080	07/04/1990	EPO	C12N	15/10	Yes
	- B9	EP 0 814 156	03/05/2003	EPO	C12N	15/10	Yes

**EXAMINER:** 

**DATE CONSIDERED:** 

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Serial No. Atty. Docket No. Form PTO-1449 (modified) 09/121,798 213-0012US Inventor/Applicant List of Patents and Publications for Applicant's NFORMATION DISCLOSURE STATEMENT Robert Bridenbaugh Title: Methods For Purifying Nucleic Acids Filing Date: Group: (Use several sheets if necessary) July 23, 1998 1636 Other Art Foreign Patent Documents **U.S. Patent Documents** Beginning at Page 2

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

See Page 1

Exam. Init.	Ref. Des.	Citation
	C1	Birnboim et al.; "A Rapid Alkaline Extraction Procedure for Screening recombinant plasmid DNA;" Nucleic Acids Research;" 7 (6) (1979) 1513-1523
	C2	Blatt, et al.; "Solute Polarization and Cake Formation in Membrane Ultrafiltration: Causes, Consequences, and Control Techniques;" Membrane Science and Technology proceeding sof a symposium Columbus, Ohio (1969) 47-97
	C3	Carlson, et al.; "Mechanical Disruption of Escherichia coli for Plasmid Recovery;" Biotechnology and Bioengineering, Vol. 48, pp. 303-315 (1995)
	C4	Durland, et al.; "Manufacturing and Quality Control of Plasmid-Based Gene Expression Systems;" Advanced Drug Delivery Reviews 30 (1998) 33-48
	C5	Fernandez, et al.; "Cross Flow Filtration of RNA Extracts by Hollow Fiber Membrane;" Acta Biotechnol. 12 (1992); pp. 49-56
	C6	Gabler; "Principles of Tangential Flow Filtration: Applications to Biological Processing;" Filtration in the Pharmaceutical Industry; ISBN 08247751981 pp.453-489
	C7	Gutman; "The Technology of Pressure-Driven Crossflow Processes;" Adam Hilger, (1987)48-49, 192; ISBN 0-85274-52-2
	C8	Hancher, et al.; "Evaluation of Ultrafiltration Membranes with Biological Macromolecules;" Biotechnol. Bioeng. 1973, 15(4), 677-91.
	C9	Heinzel, et al.; "Autonomous DNA Replication in Human Cells Is Affected By The Size and the Source of the DNA;" Molecular and Cellular Biology; Vol. 11; No. 4; Apr. 1991; pp. 2263-2272
	C10	Hirt; "Selective Extraction of Polyoma DNA From Infected Mouse Cell Cultures;" J. Mol. Biol. (1967) 26, 365-369
	C11	Hjerten; "Hydrophobic Interaction Chromatography of Proteins, Nucleic Acids, Viruses, and Cells on Noncharged Amphiphilic Cells;" Methods of Biochemical Analysis; Vol. 27 (1981) 89-108
	C12	Ish-Horowicz, et al.; "Rapid and Efficient Cosmid Cloning;" Nucleic Acids Research; Vol. 9 (13) (1981) 2989-2998
	C13	John T. Lis, et al.; "Size Fractionation of Double-Stranded DNA by Precipitation With Polyethylene Glycol;" Nucleic Acids Research; Vol. 2; No. 3; March 1975

<b>EXAMINER:</b>			

See Page 1

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

**DATE CONSIDERED:** 

Form PTO-1449 (modified)

Atty. Docket No.

Serial No.

213-0012US

09/121,798

List of Patents and Publications for Applicant's

Inventor/Applicant

Robert Bridenbaugh

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Title: Methods For Purifying Nucleic Acids

Filing Date:

Group:

July 23, 1998

1636

**U.S. Patent Documents** See Page 1

Foreign Patent Documents See Page 1

Other Art Beginning at Page 2

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

#### Citation Ref. Exam. Init. Des. Koller, et al.; "Laboratory-Scale Production and Purification of Recombinant HIV-1 Reverse C14 Transcriptase;" Journal of Chromatography B, 664 (1995) 107-118 Marquet, et al.; "Process Development for the Manufacture of Plasmid DNA Vectors for Use in C15 Gene Therapy;" BioPharm; (1995) 26-37 McLaughlin, et al.; "Resolution of RNA Using High-Performance Liquid Chromatography" C16 Journal of Chromatography, 418 (1987) 51-72 Merion, et al.; "Purification of Supercoiled Plasmids from Crude Cell Lysates Using High C17 Performance Anion Exchange Chromatography;" BioTechniques; Vol. 7, No. 1 (1989) 60-67 Michaels; "New Separation Technique for the CPI;" Chemical Engineering Progress (Vol. 64, C18 No. 12) (1968) 31-43 Pall KLEENPAK<sup>TM</sup> Filter Assembly Brochure C19 The Pall ULTIPOR® N66® Membrane Filter Guide C20 Schratter, et al.; "Ultrafiltration in Molecular Biology;" American Biotechnol. Lab. 11 (1993) 16 C21 Sharma; "Endotoxin Detection and Elimination in Biotechnology;" Biotechnology and Applied C22 Biochemistry 8 (1986) 5-22 Yates, et al.; "Stable Replication of Plasmids Derived from Epstein-Barr Virus in Various C23 Mamalian Cells" Nature 313 (1984) 812-815 Zasloff, et al.; "A New Method for the Purification and Identification of Covalently Closed C24 Circular DNA Molecules;" Nucleic Acids Research; 5 (4) (1978) 1139-1152 Zydney "Analysis of EP 0 923 592 B1 Methods for Purifying Nucleic Acids;" Department of C25 Chemical Engineering; The Pennsylvania State University, December 11, 2003 Sartopure GF2 - The High Capacity Prefilter Cartridges and Capsules with Absorptive C26 Characteristics Lit #A-0016, Rev 3/20/00

EXA	 
LI'S A	
п. х д	V H. K.

**DATE CONSIDERED:** 

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.